

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

Kayla Patrice Reed.	)	Case No.: 4:20-cv-03151
	)	
DaVonte Michael Deshawn King,	)	
	)	
Plaintiffs,	)	<b>DEFENDANTS' RULE 12(b)(6)</b>
v.	)	<b>MOTION TO DISMISS</b>
	)	
Gary Hovey,	)	
<i>Sergeant, in his individual capacity</i>	)	
	)	
Mathew Proehl,	)	
<i>Officer, in his individual capacity</i>	)	
	)	
North Platte Police Department,	)	
Defendants.	)	

The Defendants, Sergeant Gary Hovey, Officer Matthew Proehl, and the North Platte Police Department, by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 12(b)(6) respectfully move this Court to dismiss Plaintiffs' Complaint for the reasons set forth in more detail in the accompanying brief

WHEREFORE, Defendants pray for an order dismissing Plaintiffs' Complaint.

GARY HOVEY, MATTHEW PROEHL, and NORTH PLATTE POLICE DEPARTMENT, Defendants,

By      /s/ Terrance O. Waite  
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### CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:  
None

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

Kayla Reed  
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*/s/ Terrance O. Waite*  
Defendants' Attorney